

IN THE SUPREME COURT OF THE STATE OF NEVADA

KARISMA GARCIA,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 61711

FILED

APR 09 2013

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY *A. Malone*
DEPUTY CLERK

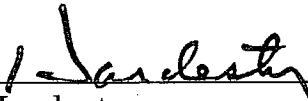
ORDER OF AFFIRMANCE


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of grand larceny. Fifth Judicial District Court, Nye County; Kimberly A. Wanker, Judge.

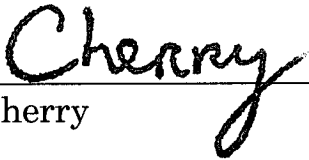
Appellant Karisma Garcia contends that the district court abused its discretion by imposing an excessive and disproportionate sentence amounting to cruel and unusual punishment. We disagree. This court will not disturb a district court's sentencing determination absent an abuse of discretion. See Parrish v. State, 116 Nev. 982, 989, 12 P.3d 953, 957 (2000). Garcia's prison term of 24-60 months falls within the parameters provided by the relevant statutes, see NRS 205.222(2); NRS 193.130(2)(c), and the sentence imposed is not so unreasonably disproportionate to the gravity of the offense as to shock the conscience, see Culverson v. State, 95 Nev. 433, 435, 596 P.2d 220, 221-22 (1979); see also Harmelin v. Michigan, 501 U.S. 957, 1000-01 (1991) (plurality

opinion). We conclude that the district court did not abuse its discretion at sentencing, and we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Hardesty


_____, J.
Parraguirre


_____, J.
Cherry

cc: Hon. Kimberly A. Wanker, District Judge
Carl M. Joerger
Nye County District Attorney
Attorney General/Carson City
Attorney General/Las Vegas
Nye County Clerk